

MEETINGS TO DATE 6
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LANCASTER, NEW YORK
MARCH 20, 1978

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 20th day of March, 1978 at 8:00 P.M. and there were

PRESENT: STANLEY JAY KEYSA, SUPERVISOR
JOSEPH R. BARNHARDT, COUNCILMAN
EDWARD A. BERENT, COUNCILMAN
PETER J. BOLENDER, COUNCILMAN
ARTEL J. METZ, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
DOMINIC J. TERRANOVA, TOWN ATTORNEY
RICHARD J. SHERWOOD, DEPUTY TOWN ATTORNEY
EDWARD J. FERON, JR., TOWN ENGINEER
ROBERT W. URBAN, HIGHWAY SUPERINTENDENT

BID OPENING SCHEDULED FOR 8:00 P.M.:

At 8:00 P.M. the Town Board considered sealed proposals for furnishing to the Town of Lancaster Sporting and Athletic Equipment for the Recreation Department.

ON MOTION BY COUNCILMAN BOLENDER, AND SECONDED BY COUNCILMAN BARNHARDT AND CARRIED, by unanimous voice vote, the time for receiving the aforesaid proposals was closed at 8:00 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

BID OPENING SCHEDULED FOR 8:00 P.M. CONT'D.:

Proposals were received from the following bidders:

BIDDER

Dekdebrun Sporting Goods
Northtown Plaza
Eggertsville, N.Y. 14221

Laux Sporting Goods
441 Broadway
Buffalo, N.Y.

Lancaster Sports Center
34 Central Avenue
Lancaster, N.Y. 14086

ON MOTION BY COUNCILMAN BERENT, AND SECONDED BY COUNCILMAN BOLENDER AND CARRIED, by unanimous voice vote, the aforesaid proposals were ordered turned over to the Recreation Commission for examination, tabulation, and recommendation.

BID OPENING SCHEDULED FOR 8:15 P.M.:

At 8:15 P.M. the Town Board considered sealed proposals for furnishing to the Town of Lancaster Arts and Crafts Supplies for the Recreation Department.

ON MOTION BY COUNCILMAN BERENT, AND SECONDED BY COUNCILMAN BARNHARDT AND CARRIED, by unanimous voice vote, the time for receiving the aforesaid proposals was closed at 8:15 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

Proposals were received from the following bidders:

BIDDER

BID

S. & S. Arts and Crafts
Colchester, CT 06415

\$2,726.10

ON MOTION BY COUNCILMAN BERENT, AND SECONDED BY COUNCILMAN BOLENDER AND CARRIED, by unanimous voice vote, the aforesaid proposals were ordered turned over to the Recreation Commission for examination, tabulation, and recommendation.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M. the Town Board held a Public Hearing to hear all interested parties and citizens for or against a proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster as petitioned by John L. Trost.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented copies of letters which were mailed Certified Mail, Return Receipt Requested, to the Petitioner, the Erie County Department of Planning, and Mr. Linus Eck, the Village Clerk of the Village of Lancaster, notifying these individuals of the time and place of this Public Hearing.

The Town Clerk presented a Zoning Coordination Referral from the Erie County Department of Planning wherein the Department acknowledged receipt of a Notice of this Public Hearing and commented as follows:

"The proposed zoning action is subject to review; the Department has no objection thereto."

The Town Clerk presented a letter from the Town of Lancaster Planning Board to the Town Board recommending approval of the proposed rezone.

The Town Clerk presented these further communications relative to this Public Hearing:

Letters from Mr. and Mrs. James Getz and Mr. and Mrs. Leslie Wolf stating no objection to rezone of this property.

PROPOSERS

John L. Trost, Petitioner
166 Lydia Lane
Cheektowaga, New York 14225

OPPOSERS

None

ON MOTION BY COUNCILMAN BOLENDER, AND SECONDED BY COUNCILMAN METZ AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:35 P.M.

The Town Board, at this time, suspended its rules and adopted a resolution hereinafter spread at length in these minutes approving this rezone petition.

OFFICIAL REPORTS:

The Town Clerk reported that the following departments of the Town of Lancaster have filed with him their monthly reports as follows:

<u>DEPARTMENT</u>	<u>MONTH OR MONTHS OF</u>
Dog Warden	February, 1978

COMMITTEE REPORTS:

Councilman Metz, for the Drainage Committee, reported that the drainage problem which has existed for years in the Lake Avenue, William Street Area, has been alleviated this spring by remedial work done last fall by the Highway Department after securing easements from the Schiffler family and that a total solution to this problem is anticipated in the early summer when the Highway Department can complete their work after the soil is dry enough to bring in heavy equipment.

Councilman Barnhardt, for the Planning Committee, presented a report from Khrebiel Associates indicating what must be done to bring a private road into Ward Sievenpiper's Industrial Park up to the minimum standards of the Town of Lancaster for public dedication.

The Town Clerk was directed to place this communication and report on the next Town Board agenda.

Councilman Berent, for the Police and Safety Committee, presented a report from Krehbiel Associates relative to the installation of close-knit wire mesh at the Lancaster Town Center lockup to prevent self-destruction of inmates by hanging.

Councilman Berent requested the Town Engineer to obtain a new proposal from the contractor quoting a price on installation of the close-knit wire mesh on the ceiling of the lockup cells only as opposed to the ceiling and all four sides.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT, TO WIT:

RESOLVED, that the Minutes of the meeting of the Town Board, held
March 6, 1978, as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

~~duly~~
The resolution was thereupon unanimously adopted.

March 20, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT TO WIT:

WHEREAS, Anthony V. D'Amore, Chairman of the Lancaster Youth Bureau, attended a training seminar on February 1, 1978 at the Sheraton East in Cheektowaga, New York, and

WHEREAS, prior approval by the Town Board was not obtained due to the receipt of a late notice of this meeting,

NOW, THEREFORE, BE IT

RESOLVED, that the attendance of Anthony V. D'Amore, Chairman of the Lancaster Youth Bureau, at the Western Regional Citizens Council Continuing Education Program of the Division of Community Psychiatry S.U.N.Y.A.B. at the Sheraton East on February 1, 1978, be and is hereby confirmed and authorized, and

BE IT FURTHER

RESOLVED, that expense reimbursement for the attendance at this seminar be and is hereby authorized in an amount not to exceed \$12.18.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYS	VOTED	YES
COUNCILMAN METZ	VOTED	YES

The resolution was thereupon unanimously adopted.

March 20, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ, TO WIT:

WHEREAS, definite plans, specifications and contract documents have been prepared by Krehbiel Associates, Inc., Town Engineers, and the engineers retained by the Town of Lancaster for addition and alterations to the Town Hall, and

WHEREAS, such plans, specifications and contract documents have been examined by the Town Board, and

WHEREAS, the Town of Lancaster has available to it, certain funds for the years 1975, 1976 and 1977, under the Housing and Community Development Act of 1974;

NOW, THEREFORE, BE IT

RESOLVED, that the plans, specifications and contract documents for addition and alterations to the Town Hall be and hereby are approved and adopted, and

BE IT FURTHER

RESOLVED AND ORDERED, that sealed proposals will be received, publicly opened, read aloud and considered by the Town Board of the Town of Lancaster, at a meeting of the Town Board to be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 17th day of April, 1978, at 8:00 P.M., Eastern Standard Time, for furnishing all materials, labor and equipment to construct addition and alterations to the Town Hall. Separate proposals will be received for General Construction, Mechanical, and Electrical Work; and that Notice of advertisement for bids shall be published by the Town Clerk of the Town of Lancaster in the Lancaster Enterprise-Journal, being the official Town newspaper and a newspaper of general circulation in the Town of Lancaster, and the Buffalo Challenger, no later than March 30, 1978, and posted according to Law, and it is further

RESOLVED AND ORDERED, that the advertisement for bids shall be in the following form:

LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO CONTRACTORS
ADVERTISEMENT FOR BIDS
ADDITION AND ALTERATIONS
OF TOWN HALL

NOTICE IS HEREBY GIVEN that pursuant to resolution of the Town Board of the Town of Lancaster, Erie County, New York, sealed proposals will be received, publicly opened, read aloud and considered by the Town Board on the 17th day of April, 1978, at 8:00 P.M., Eastern Standard Time, in the Town Board Council Chamber, Town Hall, 21 Central Avenue, Lancaster, New York, for furnishing all materials, labor, and equipment to construct addition and alterations to the Town Hall. Separate proposals will be received for General Construction, Mechanical, and the Electrical Work. Proposals will be received in accordance with Contract Documents and Specifications prepared by Krehbiel Associates, Inc., for the Town of Lancaster. A copy of which is on file with the Town Clerk at his office in the Town Hall, Lancaster, New York, where the same may be examined during the usual business hours.

Copies of the Contract Documents required for review or bidding purposes may be obtained at the offices of Krehbiel Associates, Inc., 1868 Niagara Falls Boulevard, Tonawanda, New York, upon deposit of \$50.00 for each set of documents so obtained. The full amount of the deposit for one set of documents and one-half of the deposit for any additional sets of documents will be refunded to each bidder who submits a formal proposal to the Town, and who also returns the documents in good condition to the Engineer within thirty (30) days after his bid security has been returned to him. Equipment manufacturers, contractors, subcontractors, and others who do not submit formal proposals to the Town, will be refunded one-half the amount of the deposit for all sets of complete documents returned in good condition to the Engineer within thirty (30) days after the opening of bids. No refund will be made for documents received after this thirty (30) day period.

Each proposal must be accompanied by a certified check, payable to the Town of Lancaster, or bid bond, having as surety thereon a surety company acceptable to the Town Attorney, in an amount not less than ten percentum (10%) of the amount of the base bid, conditioned that, if his proposal is accepted he will enter into a contract for the same, and that he will execute any such further security as may be required for the faithful performance of the contract.

All bids shall be submitted, in sealed envelopes addressed to the Town of Lancaster and shall be plainly marked on the outside with the Contractor's name and the title of his bid.

Attention of bidders is particularly called to the requirements as to conditions of employment to be observed and the minimum wage rates to be paid under the Contract.

Bidders on this work will be required to comply with the President's Executive Orders No. 11246 and 11375. The requirements for bidders and contractors under this order, which concerns non-discrimination in employment, are explained in the specifications.

The minimum wage rates to be paid to laborers and mechanics engaged in the construction of this project shall be the latest wage rates established by the Secretary of Labor and the State Industrial Commissioner, whichever is greater.

The Owner reserves the right to reject any or all bids for failure to comply with the requirements of the Contract Documents but may, at its discretion, waive any informalities or irregularities.

The Owner further reserves the right to reject any or all bids or to award a contract which in its judgment is in the best interest of the Owner.

No Bidder may withdraw his bid within forty-five (45) days after the opening thereof, but may withdraw same at any time prior to the opening thereof.

ROBERT P. THILL
Town Clerk
Town of Lancaster, New York

Dated: March 20, 1978

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

The resolution was thereupon unanimously adopted.

March 20, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, the following entitled legislation, "An Act to Incorporate the Lancaster Volunteer Exempt Firemen's Benevolent Association, Inc. and Providing for its Powers and Duties", has passed as Senate Introduction No. S. 4971-A in the Senate, and Assembly Introduction No. A.7243-A in the Assembly, and

WHEREAS, the Town of Lancaster has been asked to comment on said legislation which is presently before the Governor for executive action,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the proposed legislation entitled, "An Act to Incorporate the Lancaster Volunteer Exempt Firemen's Benevolent Association, Inc. and Providing for its Powers and Duties", known as Senate Introduction No. S.4971-A and Assembly Introduction No. A.7243-A, presently before the Governor of the State of New York for executive action, and

BE IT FURTHER

RESOLVED, that such approval is based upon a recognition of the long selfless and outstanding service of members of the Lancaster Volunteer Fire Department and recognition of certain benefits and emoluments, which will flow from the ability of regular members of the Lancaster Volunteer Fire Department to become members and associate with the Lancaster Volunteer Exempt Firemen's Benevolent Association, Inc., and which will further act to strengthen this important volunteer firemen's group, and

BE IT FURTHER

RESOLVED, that a certified copy of this resolution be forwarded by the Town Clerk to Judah Gribetz, Counsel to the Governor, and to the Village Clerk of the Village of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

~~duky~~
The resolution was thereupon unanimously adopted.

March 20, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCILMAN BOLENDER , WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 METZ , TO WIT:

RESOLVED, that so much of the resolution adopted February 6, 1978,
 relating to transfers of funds be amended as follows:

	To		From	
	Account	Amount	Account	Amount
<u>SEWER DISTRICTS</u>				
SS District 1				
Contractual Expense	8121	\$136.00		
SS District 2				
Serial Bonds-Interest	9710.7	1.00		
SS District 2 Lat. 1				
Serial Bonds-Interest	9710.7	1.00		
SS District 2 Lat. 2				
Serial Bonds-Interest	9710.7	1.00		
SS District 2				
Botimer Lateral				
Serial Bonds Interest	9710.7	1.00		
SS District 2				
So. Broezel				
Serial Bonds-Interest	9710.7	1.00		
SS District 2				
Lancaster Heights				
Serial Bonds-Interest	9710.7	1.00		
SS District 2				
Markey Avenue				
Serial Bonds-Interest	9710.7	1.00		
Fund Balance *			909	\$143.00

and,

BE IT FURTHER

RESOLVED, that the Special Districts Fund Budget be amended on the
 1977 Books of Account of the Town of Lancaster, as follows:

<u>LIGHTING DISTRICT</u>	<u>AMOUNT</u>
Debit Account No. 599	
Credit Account No. 960	\$875.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

^{dubyx}
The resolution was thereupon unanimously adopted.

March 20, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, JOSELA ENTERPRISES, INC., has heretofore applied for
approval of Countryside Subdivision, and

WHEREAS, the Planning Board, Planning Consultant and Town Engineers
have given their approval to the filing of this Subdivision,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
approves the Subdivision, known as COUNTRYSIDE SUBDIVISION, filed with the Town
Board by Josela Enterprises, Inc., and that the Town Clerk properly endorse
approval of the Town Board of the Town of Lancaster on the linen copy thereof,
provided, however, that said Subdivision Map not be filed until the Town
Attorney shall approve the final linen copy thereof and approve an agreement
to be executed prior to said filing, providing for placement of a water meter
pit in the public right-of-way of said subdivision, in conformity with Erie
County Water Authority Specifications and insuring continuity of water service
through private mains connecting said meter pit with source of water supply in
Transit Road through the Townedge Development, and that said agreement be
recorded prior to or simultaneous with said linen copy of said subdivision and
run with the land, comprising Townedge Development, and be binding upon present
and all future owners of said Townedge Development in perpetuity, and

PROVIDED FURTHER, that the Town Attorney attend to the filing of
said Subdivision Map and agreement in the Erie County Clerk's Office, with the
representative of Josela Enterprises, Inc.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES
COUNCILMAN METZ VOTED YES

The resolution was thereupon unanimously adopted.

March 20, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, it is in the public interest for the Town Supervisor and Superintendent of Highways to review items of surplus at the General Services Surplus Center at Rotterdam, New York, to determine whether said used and surplus government equipment and material may be obtained by the Town of Lancaster at substantial saving

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor and the Superintendent of Highways be and hereby are authorized to make an inspection visit of the General Services Surplus Center at Rotterdam, New York, to determine whether said used and surplus government equipment and material may be obtained by the Town of Lancaster at substantial saving, with mileage and reasonable and necessary expenses to be reimbursed upon presentation of a proper voucher and audit therefor.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

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The resolution was thereupon unanimously adopted.

March 20, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Funds	No. 6367 to 6419 Incl.	\$46,870.10
Special District Funds	No. 285 to 288 Incl.	\$ 9,828.56
Part Town Funds	No. 525 to 528 Incl.	\$ 514.81
Highway Funds	No. 1799 to 1810 Incl.	\$11,582.12
Trust & Agency Funds	No. 243 to 249 Incl.	\$ 4,342.25
Federal Revenue Sharing	No. 984 to 990 Incl.	\$ 1,345.09
Capital Fund	No. 313 to 313 Incl.	\$25,000.00
Capital Fund (Public Works Garage)	No. 125 to 125 Incl.	\$17,720.60

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

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The resolution was thereupon unanimously adopted.

March 20, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

RESOLVED, that the following Building Permit Applications be
and are hereby approved and the issuance of Building Permits be and are hereby
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
8	Beauty Pools Inc.	8 Idlebrook Ct.	ER. FENCE, POOL
9	Richard Davison	6108 Broadway	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
10	Marrano Enter.	20 Deerpath Dr.	ER. FR. BRK. VEN. FR. SIN. DWLG, PVT. GARAGE
11	Marrano Enter.	1 Idlebrook Ct.	ER. FR. BRK. VEN. FR. SIN. DWLG, PVT. GARAGE
12	Marrano Enter.	27 Deerpath Dr.	ER. FR. BRK. VEN. FR. SIN. DWLG, PVT. GARAGE
13	Marrano Enter.	8 Pheasant Run La.	ER. FR. BRK. VEN. FR. SIN. DWLG, PVT. GARAGE
14	Daniel H. Nawrocki	668 Aurora	ER. FR. BRK. SIN. DWLG

The question of the adoption of the foregoing resolution was
duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
SUPERVISOR KEYSA VOTED YES
COUNCILMAN METZ VOTED YES

~~only~~
The resolution was thereupon unanimously adopted.

March 20, 1978

Councilman Metz requested a suspension of the necessary rule for immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER, TO WIT:

WHEREAS, a public hearing was held on the 20th day of March, 1978, for the purpose of amending the Zoning Ordinance and Zoning Map of the Town of Lancaster, and

WHEREAS, a Notice of said public hearing has been duly published and posted, and

WHEREAS, the Planning Board of the Town of Lancaster has recommended the rezone of the hereinafter described parcel of real property, and

WHEREAS, in accordance with Section 239(m) of the General Municipal Law of the State of New York, the Erie County Department of Planning has reviewed such application for rezone and made its recommendation with respect thereto,

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Ordinance and Zoning Map of the Town of Lancaster is hereby amended and changed so that the real property hereinafter described is changed from an RC Residence-Restricted Business District to a C2-General Commercial District:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot No. 11, Section 8, Township 11, Range 6 of the Holland Land Company's Survey, and being further known and distinguished as Subdivision Lots Nos. 162 and 163, according to a map filed in the Erie County Clerk's Office under Cover No. 900. Said subdivision Lots Nos. 162 and 163 aforesaid, situate on the north side of Walden Avenue (formerly Ellicott Road), corner Seneca Place, also known as Livingstone, being approximately seventy-three (73) feet in frontage on Walden Avenue by seventy-one (71) feet in rear, and having a length of 148.16 feet on its easterly line and its west line being approximately 165.14 feet in length.

and

BE IT FURTHER

RESOLVED, as follows:

1. That said Ordinance Amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on the 20th day of March, 1978, and
2. That a certified copy thereof be published in the Lancaster Enterprise and the Lancaster-Depew Journal on or before March 30, 1978, and
3. That affidavits of publication be filed with the Town Clerk and
4. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

The resolution was thereupon unanimously adopted.

March 20, 1978

LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO ZONING ORDINANCE
TOWN OF LANCASTER

The Zoning Ordinance of the Town of Lancaster hereby is amended and the Zoning Map of said Town is hereby changed so that the real property hereinafter described is changed from an RC Residence -Restricted Business District to a C2-General Commercial District:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot No. 11, Section 8, Township 11, Range 6 of the Holland Land Company's Survey, and being further known and distinguished as Subdivision Lots Nos. 162 and 163, according to a map filed in the Erie County Clerk's Office under Cover No. 900. Said subdivision Lots Nos. 162 and 163 aforesaid, situate on the north side of Walden Avenue (formerly Ellicott Road), corner Seneca Place, also known as Livingstone, being approximately seventy-three (73) feet in frontage on Walden Avenue by seventy-one (71) feet in rear, and having a length of 148.16 feet on its easterly line and its west line being approximately 165.14 feet in length.

Councilman Barnhardt requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, Marrano Enterprises, Inc., 4040 Clinton Street, West Seneca, New York, has applied to the Town Board of the Town of Lancaster for a permit to construct Public Improvement upon real property in the Town of Lancaster within the Pleasant Meadow Subdivision, Phase III, and

WHEREAS, Pleasant Meadow Subdivision is a subdivision within the Town of Lancaster filed in the Erie County Clerk's Office under Map Cover No. 2386, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit application that he has reviewed the Improvement Plans and Permit Application for the installation of the Public Improvement requested, and that it conforms to the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application No. 50 of Marrano Enterprises, Inc., 4040 Clinton Street, West Seneca, for the installation of:

P.I.P. No. 50 - Approx. 2800' cast iron or ductile iron water line, with 9 valves, 3 hydrants, 1 8x12 tap w/valve and appurtenances.

be and is hereby approved and the installation of the improvement requested be and is hereby authorized, subject to the inclusion in this permit of the following wording prescribed by the Town Attorney:

PERMIT CONDITIONED AS FOLLOWS

No Building Permits shall be issued until Performance Security as authorized in Chapter 11-6 of the Code of the Town of Lancaster is provided -- or -- until approval of all Public Improvements, including lighting, sidewalk, and sewer, by the Town Engineer and Town Board, and conveyance of Warranty Deed with adequate title insurance and bill of sale of improvements, rights-of-way, and easement, and delivery of two (2) year maintenance bonds from date of acceptance in an amount recommended by Town Engineer and approved by Town Attorney.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

The resolution was thereupon unanimously adopted.

March 20, 1978

Councilman Berent requested a suspension of the necessary rule for immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT, TO WIT:

WHEREAS, CAROL A. ARMSTRONG, an employee of the Town of Lancaster Police Department, has requested a maternity leave of absence, without pay, from April 1, 1978 to July 31, 1978, which request has been approved by the Police Chief,

NOW, THEREFORE, BE IT

RESOLVED, that CAROL A. ARMSTRONG, a Police Clerk in the Town of Lancaster Police Department, be and hereby is authorized maternity leave, without pay, for the period April 1, 1978 to July 31, 1978.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

The resolution was thereupon unanimously adopted.

March 20, 1978

Councilman Berent requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, it has been requested that the following individual be authorized to attend a dinner meeting and training workshop at the State University of New York at Buffalo on Wednesday, March 29, 1978,

NOW, THEREFORE, BE IT

RESOLVED, that ANTHONY V. D'AMORE, Chairman of the Lancaster Youth Board, be and is hereby authorized to attend said meeting and workshop with reimbursement for actual and necessary expenses not to exceed \$10.00 plus gratuity and mileage.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

The resolution was thereupon unanimously adopted.

March 20, 1978

STATUS REPORT ON UNFINISHED BUSINESS:

1. Preferential Rights, Erie-Lackawanna R.R.
On February 10, 1978, the Supervisor transmitted a copy of the completed appraisal to the Village of Lancaster and the Village of Alden with a request that they determine what portion they wish to bid upon.
2. Public Dedication of Townedge Water Lines
On March 13, 1978, the Erie County Water Authority gave approval for a meter pit for the interconnection between Countryside and Townedge.
3. Public Improvement Permit Authorization, Lancaster Industrial Park
On September 6, 1977, the Town Board approved Public Improvement Permit Nos. 41 and 42 for storm sewer, pavement and curbs. On March 9, 1978, the Erie County Health Department approved plans for 1,450 feet of water line. No P.I.P. for water line has yet been applied for by the developer.
4. Phase II, Pleasant Meadow Subdivision, Public Improvement Permit Authorization
On September 6, 1978, the Town Board approved Public Improvement Permit Nos. 43 and 44 for Phase II; water, storm drain, pavement and curbing. On February 28, 1978, the Town Board approved a letter of credit as security for the installation of these improvements.
5. Phase III, Pleasant Meadow Subdivision, Public Improvement Permit Authorization
On March 20, 1978, the Town Board approved P.I.P. No. 50 for Phase III water lines.
6. Request Speed Evaluation, Erie Street - Former Erie R.R. Tracks to Village of Lancaster East Line
On December 8, 1977, the N.Y.S. Dept. of Transportation issued an order setting the speed limit on this section of Erie Street at 45 mph. The Town Board is awaiting notification from the Highway Supt. that the required signs have been installed.
7. Rezone Petition, Guenter H. and Eva G. Burkhardt
On February 27, 1978, the Town Board held a public hearing on this proposed rezone and adjourned the hearing to April 3, 1978 at 8:00 P.M.
8. Subdivision Filing, Josela Enterprises, Countryside Subdivision
On March 20, 1978, the Town Board approved this subdivision and authorized the Town Attorney, with a representative of the developer, to file this subdivision map.
9. Subdivision Filing, Woodview Estates Subdivision
On February 27, 1978, the Town Board approved this subdivision and authorized filing of the subdivision map under conditions by the Town Attorney.
10. Rezone Petition, John L. Trost
On March 20, 1978, the Town Board held a public hearing on this matter and approved the rezone. The Town Clerk was directed to remove this item from future agendas of the Town Board.
11. Rezone Petition, Arlene McKenzie
On February 27, 1978, this petition was presented to the Town Board and referred to the Planning Board for review and report.

STATUS REPORT ON UNFINISHED BUSINESS CONT'D.:

The Town Clerk was directed to add the following items to future Town Board agendas:

- "Ceiling Screening - Lancaster Center Lockup"
- "Alarm Security - Town Buildings"

PERSONS DESIRING TO ADDRESS TOWN BOARD:

None

COMMUNICATIONS:DISPOSITION

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| 196. Chair., Youth Bureau to Supervisor -
Request reimbursement for meeting attended
at the Sheraton East on 2/1/78. | R & F |
| 197. Dog Warden to Town Board -
Transmittal of February, 1978 monthly
report. | R & F |
| 198. Krehbiel Assoc. to Town Board -
Recommendation that heating system
equipment at the Public Works Garage be
accepted. | Town Engineer |
| 199. Boston Town Board to Towns and Villages in
Erie County.
Copy of letter to Pres. Carter requesting
termination of the Jobs Program Extension
Act of 1976 to be replaced by constructive
programs to create permanent work positions
in the private sector. | R & F |
| 200. Town Clerk to County Board of Elections -
Transmittal of copy of 1978 County Budget,
Statement of Revenues, and request for cost
breakdown. | R & F |
| 201. John Kicak to Town Board -
Transmittal of report from attendance at
Assoc. of Towns meeting held 2/19-2/22/78. | R & F |
| 202. County Dept. of Environ. and Planning to
Supervisor -
Notification of Sewer District No. 4 -
Annual Billing for 1978. | R & F
Supervisor |
| 203. Act. Sec'y, Planning Board to Supervisor -
Recommendation of approval for the John L.
Trost rezone. | R & F |
| 204. Police Chief to Town Board -
Transmittal of request of leave of absence
for maternity leave from Carol A. Armstrong
commencing on 4/1/78. | R & F |
| 205. Krehbiel Assoc. to Councilman Berent -
Recommendation that contract for proposed
changes to women's lockup at Lancaster
Town Center be awarded to Seibel Modern Mfg.
and Welding Corp. with transmittal of bids. | Supervisor |
| 206. Police Chief to Councilman Berent -
Recommendations in connection with problems
and complaints regarding towing services in
the Township. | R & F
Highway Supt. |
| 207. Supervisor to Erie & Nia. Reg. Planning Board -
Transmittal of various comments regarding
Adopted Regional Water Supply Plan and
Program. | R & F
Four Fire Co. Chiefs |
| 208. N.Y.S. Dept. of Trans. to Supervisor -
Transmittal of executed copy of Assignment
and Authorization regarding acquisition of
E.L. Railway Co.'s abandoned right-of-way. | Supervisor |

COMMUNICATIONS CONT'D.:DISPOSITION

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| 209. United Silicone Inc. to Supervisor -
Transmittal of copy of letter sent to various senators expressing opposition to proposed Federal Bill S-1-83, Compulsory Unionism, and request comments on same. | R & F |
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| 210. County Dept. of Environ. Quality to Supervisor -
Transmittal of tabulation showing EPA cuts in funding regarding Lateral Sewer Project. | R & F
Town Board |
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| 211. Chair., Youth Board to Town Board -
Request adoption of resolution recommending disapproval regarding mental health services takeover. | R & F |
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| 212. Police Chief to Supervisor -
Notification of enforcement of ordinance regarding all-night parking ban. | R & F
Mrs. Beverly Bryant |
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| 213. State Dir., U.S. Dept. of Commerce to Supervisor -
Acknowledgement of receipt of letter requesting consideration for funding under the Public Works Impact Project Energy Conservation Program with notification that consideration will be given when additional funds become available. | R & F
Town Engineer |
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| 214. N.Y.S. Dept. of Environ. Conservation to Bella Vista Development -
Notification that a freshwater wetlands interium permit will not be required regarding proposed subdivision - Broadway/Steinfeldt area. | Planning Board Sec'y |
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| 215. Town Engineers to Supervisor -
Recommendations regarding Katherine Street sewer. | Ray Domino
Highway Supt.
ECSD No. 4 |
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| 216. Lancaster Village Off. of Comm. Devel. to Ass't. Dir., Erie and Nia. Counties Reg. Planning Board -
Request that Village and Town be identified separately regarding proposed Housing Opportunity Plan. | R & F |
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| 217. Pres., Cayuga Club to Town Board -
Expression of displeasure regarding Board's decision not to have Police Dept. participate in promotional exam to be held 4/78. | Supervisor |
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| 218. Supervisor to Mayor of Buffalo -
Transmittal of information concerning solid waste treatment facility being constructed in the Town of Hempstead with comments on same. | R & F |
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| 219. Josela Enter. to Ass't. Deputy Comm., County Environ. and Planning -
Confirmation of availability of pump station - Derby Gardens - to be used temporarily for Countryside Subdivision. | R & F |
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COMMUNICATIONS CONT'D.:

Page 191
DISPOSITION

220. Chair., Youth Board to Supervisor -
Request permission to attend workshop and
dinner at the Sheraton East on 3/29/78.

Town Clerk

221. Thill-Demerly Agency, Inc. to Town Clerk -
Transmittal of dividend check in the
amount of \$2,722.00 on Workmen's
Compensation for policy term 1/1/76 -
1/1/77.

R & F

222. Donald V. DiPirro to Town Board -
Request Town accept bids for cable
television.

Council. Metz

223. Town Clerk to Town Board -
Resume of actions taken in response to
directions and resolutions of the Town
Board meeting of 3/6/78.

R & F

224. Josela Enter. to Town Clerk -
Transmittal of 10 prints for Countryside
Subdivision with notification of approval
of meter pit and readiness to sign
agreement regarding no disruption of water
service.

R & F

225. Police Chief to Town Board -
Notification that three (3) new police
cars have been delivered.

R & F

Supervisor

226. Sen. Dale Volker to Town Clerk -
Acknowledgement and agreement of letter
regarding New Dog Law.

R & F

227. Highway Supt. to Town Board -
Request permission to proceed with bidding
procedure for pipe with estimated cost at
\$4,925.00.

Town Attorney

Supervisor

Town Clerk

228. Highway Supt. to Town Board -
Notification of unavailability of certain
parts to repair 1964 Huber Roller and of
monthly rental costing \$1200.00.

Supervisor

229. Deputy Comm., County Dept. of Environ. and
Planning to Supervisor -
Notification of subdivision reviews by
County staffs.

R & F

230. Comm., N.Y.S. Dept. of Commerce to
Supervisor -
Notification of "Made in New York State"
Program.

R & F

231. Bureau of Census to Supervisor -
Transmittal of 1976 estimated population
for Town.

R & F

232. Metroplex Homes Inc. to Town Board -
Request support in regard to the changing
of Article IV, Section 14 of the Erie
County Sanitary Code.

R & F

Supervisor

233. Buffalo Dept. of Public Works to Supervisor -
Notification of steps taken regarding
application of resource recovery technology
to Buffalo's waste disposal problem.

R & F

COMMUNICATIONS CONT'D.:DISPOSITION

234. County Dept. of Health to Supervisor -
Transmittal of approval permit for
waterline extension in Lancaster Industrial
Park.
235. Western New York Group Health Plan, Inc. to
Supervisor -
Notification of plans for establishment
of health plan in Erie/Niagara Counties.
236. Sec'y, Bowmansville United Methodist Church
to Supervisor -
Notification of Adm. Board's expression of
protest regarding entertainment at Lesswing's
Cocktail Lounge.
237. Town Engineers to Supervisor -
Notification that total estimated cost of
addition to Town Hall would be \$296,000.00.
238. County Water Authority to Supervisor -
Notification that interconnection of private
water line may be installed in pit between
Townedge and Countryside with costs being
builder's responsibility.

R & F

R & F

R & F

R & F

R & F

Supervisor Keysa requested a suspension of the necessary rule for
immediate consideration of the following communication -
SUSPENSION GRANTED.

239. Town Engineers to Town Board -
Recommendation of approval of P.I.P. No. 50
for water lines in Pleasant Meadow Subdivision
Phase III.
240. Town Engineers to Town Board -
Recommendation that Town proceed with
formation of Water Storage District.

Planning Board

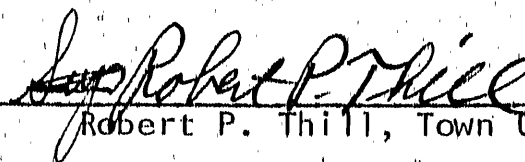
Meeting - 4/10/78
7:00 P.M.ADJOURNMENT:

ON MOTION OF COUNCILMAN BOLENDER, AND SECONDED BY THE ENTIRE TOWN
BOARD AND CARRIED, the meeting was adjourned at 10:05 P.M. out of respect to:

Michael Gac

Michael Horodyski

Signed


Robert P. Thill, Town Clerk